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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/672,727

09/25/2003

Yasushi Mochizuki

CFA 00030 US

9429

7590

07/05/2006

Canon U.S.A. Inc.  
Intellectual Property Department  
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EXAMINER

AMINI, JAVID A

ART UNIT

PAPER NUMBER

2628

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/672,727

**Applicant(s)**

MOCHIZUKI ET AL.

**Examiner**

Javid A. Amini

**Art Unit**

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-17, 19-23 and 25-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/08/2006 has been entered.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-17, 19-23 and 25-36 rejected under 35 U.S.C. 103(a) as being unpatentable over William A. Barrett; Alan S. Cheney (hereinafter refers as Barrett) with the title of "Object-Based Image Editing", and further in view of Hirotada Ueda, Takafmi Miyatake, and Satoshi Yoshizawa (hereinafter refers as Ueda) with the title of AN INTERACTIVE NATURAL-MOTION-PICTURE DEDICATED MULTIMEDIA AUTHORIZING SYSTEM.

Claim 1.

Barrett in figs. 1, and 15-24 illustrates the preamble of the claim limitations, as follows:

"An image processing apparatus comprising: a range designating unit adapted to designates a selected range of moving image data from an original range of image data comprising a plurality of images, the selected range of image data beginning with a start frame and ending with an end

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frame”. Barrett on page 777 under abstract teaches an Object-Based Image Editing (OBIE) for real-time animation and manipulation of static digital photographs.

Barrett in fig. 15 clearly illustrates the following claim limitations: “A trimming designating unit adapted to designate trimming areas of the start frame and/or the end frame”.

Barrett in fig. 12 illustrates the selected area of image data; Barrett in fig. 15 illustrates clearly the selected area and cut out the trimming areas of all the extracted images. “A unit adapted to extract the frames in the selected range of image data designated by said range designating unit, cut out the trimming areas of all the extracted frames based on the trimming areas of said start and/or end frames designated by said trimming designating unit, and generate continuous still images from the trimming areas cut out of the extracted frames”. Barrett is silenced about the output control unit adapted to output the continuous still images generated by said generating unit, however Ueda in fig. 2 i.e. separation of cuts, illustrates the following claim limitations: “an output control unit adapted to output the continuous still images generated by said generating unit”.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to substitute applicant’s described claim invention by modifying Ueda’s cut classification (see page 345 at second column) into Barrett’s work in order to have an output control unit adapted to output the continuous still images generated by said generating unit. The two references are involved in image editing that explained why one of ordinary skill in the art at the time the invention was made would have been motivated to make the proposed modification.

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Claim 3.

Ueda in fig. 2 i.e. separation of cuts, illustrates the following claim limitations: “wherein said output control unit displays images corresponding to the start frame and the end frame and further displays the trimming areas in the image”.

Claim 4.

Barrett in fig. 20 and 22 illustrates the claim limitations. Also see fig. 1 in Ueda.

Claims 5 and 6.

Barrett in figs. 15 and 22 illustrates the claim limitations.

Claim 7.

Ueda in fig. 2 i.e. separation of cuts, illustrates the following claim limitations.

Claim 8.

Barrett in fig. 17 and Ueda in fig. 1 illustrates the claim limitations.

Claim 9.

Barrett in fig. 22 illustrates the selected range.

Claims 10-13.

Ueda in fig. 1 illustrates time axis. In the figure shown a plurality of cuts and the image data.

Claims 14-15.

Ueda in fig. 1 as each cut of a video is confined as shown in Figure 2, editing along the time axis can be directly manipulated.

Claim 16.

Ueda on page 346 teaches the motion picture and the right window shows the estimated motion in small regions. This function, installed now, can detect zooming and panning and this information is stored as a description of the cut.

Claim 17.

See rejection of claim 1.

Claim 19.

See rejection of claim 3.

Claim 20.

See rejection of claim 4.

Claim 21.

See rejection of claim 5.

Claim 22.

See rejection of claim 6.

Claims 23, 25-29, 31-34.

Ueda on page 342 under abstract teaches the user's environment or interface is improved to encourage user's creativity, with image processing and recognition technology. According to the discussion, a prototype motion picture authoring system that has several image-processing functions is developed. The newly developed functions include object extraction of the picture, semi-automatic visualization of motion pictures structure, and certain descriptions of the scene. Result of using the prototype shows the appropriateness of the proposed approach.

Claims 35-36.

See rejection of claim 4.

***Conclusion***

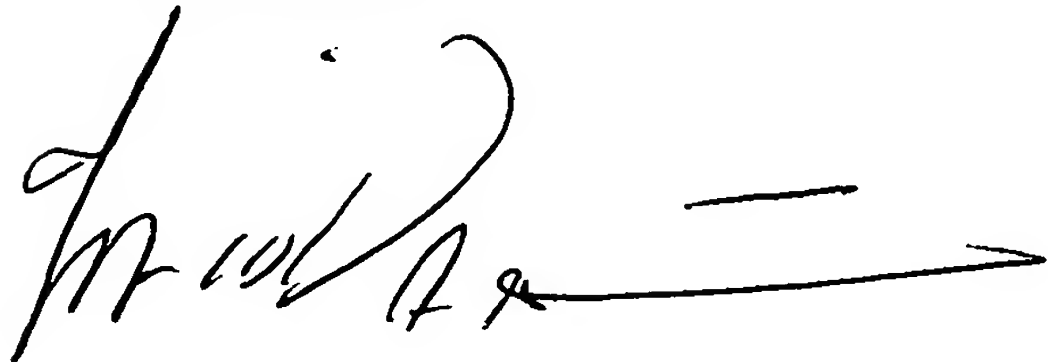
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Javid A Amini  
Examiner  
Art Unit 2628

Javid Amini

A handwritten signature in black ink, appearing to read 'Javid Amini', with a long horizontal stroke extending to the right.